



Development Services Department  
Planning & Zoning Division

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6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399  
PHONE: 954.797.1103 • FAX: 954.797.1204 • WWW.DAVIE-FL.GOV

**MEMORANDUM**

PZ 11-10-06

**TO:** Mayor and Town Councilmembers

**THRU:** Ken Cohen, Acting Town Administrator  
Mark A. Kutney, AICP, Development Services Director  
Bruce Dell, Planning & Zoning Manager

**FROM:** Ingrid Allen, Planner II

**DATE:** November 9, 2006

**RE:** Variance: V 7-2-06 Davis

**REQUEST:**

Staff is requesting that the above referenced item, currently scheduled for the November 15, 2006 Town Council meeting, be tabled to the December 6, 2006 meeting. This is staff's first request for deferral.

**HISTORY:**

At the October 25, 2006 Planning and Zoning Board meeting, Vice-Chair McLaughlin made a motion, seconded by Mr. Stevens, to approve V 7-2-06. (Motion carried 5-0).

**JUSTIFICATION:**

This request will allow staff to better accommodate the demands of items requested to be placed on the agenda for the November 15, 2006 meeting.

# **TOWN OF DAVIE**

## **TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101  
Prepared by: Ingrid Allen, Planner II

**SUBJECT:** Quasi Judicial Hearing: Variance, V 7-2-06 Davis, 6070 Griffin Road,  
Generally located on the southside of Griffin Road at the eastside corner of SW  
61<sup>st</sup> Avenue.

**AFFECTED DISTRICT:** District 1

**TITLE OF AGENDA ITEM:** V 7-2-06 Davis, 6070 Griffin Road (Griffin Corridor District, EGZ)

**REPORT IN BRIEF:** The petitioner is requesting a variance from 12-32.306 (A) of the Land Development Code Griffin Corridor District, Minimum Parcel Requirements which requires a minimum lot area of 65,000 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone, to reduce the minimum to 27,220 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone #3.

The subject property currently meets the minimum parcel requirements to develop a bed & breakfast. However, it is the petitioner’s desire to develop the subject property as a two story multi-use building in compliance with the permitted uses (See Exhibit 3) of the “Other” Use Group category of the Eastern Gateway Zone #3.

Prior to the adopted 1990 rewrite of the Land Development Code, the subject property was zoned B-2 which required a minimum lot area of 65,000 sq. ft, a lot frontage of 200 ft. and a lot depth of 200 ft. The existing property, at that time, had a minimum lot area of 41,268 sq. ft., a lot frontage of 181 ft. and a lot depth of 228 ft. The property could have been rezoned to a less restrictive Commercial Business District, notably B-1, which required a minimum lot area of 43,500 sq. ft., a lot frontage of 150 ft. and a lot depth of 200 ft.

After the 1990 rewrite of the Land Development Code, Section 12-38, Nonconforming Lots, was inserted into the Land Development Code (See Applicable Codes and Ordinances). This section established that a building may be erected on a nonconforming lot given that the erection of a building(s) was permissible prior to the adoption of the 1990 rewrite of the Land Development Code. In the case of the subject property, the erection of a building was permissible prior to the 1990 rewrite of the Code (noted above) and therefore a building could be erected on the existing nonconforming lot.

Subsequently in 1996, the property was subject to a Florida Department of Transportation taking which reduced the subject property’s minimum lot area to 27,220 sq. ft.

The adoption of the Griffin Corridor District on February 2, 2000 rezoned the subject property from B-2 to Eastern Gateway Zone #3 which requires a minimum lot area of 65,000 sq. ft, a lot frontage of 250 ft. and a lot depth of 250 ft.

Based on the minimum parcel requirements for the B-1 zoning district applicable prior to the 1990 rewrite of the Land Development Code, the subject property does meet both the minimum lot frontage

and lot depth but still does not meet the minimum lot area, hence the requirement for a minimum lot area variance.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** At the October 25, 2006 Planning and Zoning Board meeting, Vice-Chair McLaughlin made a motion, seconded by Mr. Stevens, to approve V 7-2-06. (Motion carried 5-0).

**FISCAL IMPACT:** None

**RECOMMENDATION(S):** Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration.

**Attachment(s):** Planning Report, Justification letter, Survey, Permitted/restricted/prohibited uses of the Eastern Gateway Zone, Future Land Use Plan Map, Zoning and Aerial Map

**Application:** V 7-2-06 Davis  
**Exhibit "A"**

**Revisions:** 10/30/06  
**Original Report Date:** 10/12/06

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**TOWN OF DAVIE**  
**Development Services Department**  
**Planning and Zoning Division**  
*Staff Report and Recommendation*

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**Applicant Information**

**Owner**

**Name:** Jack Davis, Trustee & Lawrence Jay Davis, Trustee  
**Address:** 1601 North Flamingo Road  
**City:** Pembroke Pines, FL 33028  
**Phone:** (954) 437-3444

**Petitioner:**

**Name:** Lawrence Jay Davis  
**Address:** 1601 North Flamingo Road  
**City:** Pembroke Pines, FL 33028  
**Phone:** (954) 437-3444

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**Background Information**

**Date of Notification:** October 18, 2006

**Number of Notifications:** 58

**Application Request:** **FROM:** Section 12-32.306 (A) of the Land Development Code Griffin Corridor District, Minimum Parcel Requirements which requires a minimum lot area of 65,000 square feet for permitted uses under the "Other" Use Group category in the Eastern Gateway Zone **TO:** Reduce the minimum to 27,220 square feet for permitted uses under the "other" use group category in the Eastern Gateway Zone.

**Address/Location:** 6070 Griffin Road/Generally located on the southside of Griffin Road at the eastside corner of SW 61<sup>st</sup> Avenue.

**Future Land Use**

**Plan Map Designation:** Commercial

**Zoning:** Griffin Corridor District, Eastern Gateway Zone #3 (EGZ)

**Existing Use:** Vacant

**Proposed Use:** A two story multi-use building in compliance with the permitted uses under the Eastern Gateway Zone #3 (See Exhibit 3)

**Parcel Size:** 27,220 square feet

		<b><u>Surrounding Future Land Use Plan Map Designations:</u></b>
	<b><u>Surrounding Uses:</u></b>	Recreation/Open Space
<b>North:</b>	Canal (C-11)	Commercial
<b>South:</b>	Kentwood Preparatory school	Commercial
<b>East:</b>	Single family dwelling (proposed Trotter Chase)	Regional Activity Center
<b>West:</b>	Office Building (Nova SE University)	

#### **Surrounding Zoning:**

**North:** N/A  
**South:** Griffin Corridor District, Eastern Gateway Zone (EGZ)  
**East:** Griffin Corridor District, Eastern Gateway Zone (EGZ)  
**West:** Griffin Corridor District, Downtown Zone (DZ)

### **Zoning History**

**Related Zoning History:** The property was rezoned from B-2 to Griffin Corridor District (Eastern Gateway Zone #3) on February 2, 2000. (Ord. No. 2000-007)

### **Application Details**

The petitioner is requesting a variance from 12-32.306 (A) of the Land Development Code Griffin Corridor District, Minimum Parcel Requirements which requires a minimum lot area of 65,000 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone, to reduce the minimum to 27,220 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone #3. The petitioner has submitted documentation (see Exhibit 1) indicating that the subject property is in compliance with the provisions outlined in Section 12-38 (Nonconforming Lots) of the Land Development Code.

### **Applicable Codes and Ordinances**

#### **DIVISION 2. GENERAL REGULATIONS**

§12-309(B)(1) of the Land Development Code, review for variances.

§12-32.300 Griffin Corridor District

§12-32.306 Minimum Parcel Requirements (Eastern Gateway Zone), requires the following minimums for “Other” Use Group: lot area of 65,000 square feet, 250’ lot frontage, 250’ lot depth.

§12-38 Nonconforming lots. A principal building and customary accessory buildings may be erected on a single lot, tract or parcel of land, notwithstanding limitations imposed by other provisions of these regulations, if:

- (1) The erection of such building(s) was permissible prior to the adoption of these regulations (“these regulations” is in reference to Ord. No. 90-4); and
- (2) The single lot, tract or parcel of land was shown on a recorded map, plat, drawing or survey prior to the adoption of these regulations, or, in the case of lands zoned RR district, occurred prior to the date of adoption of the applicable Broward County zoning regulations in effect at the time of annexation; or

(3) The single lot, tract or parcel of land was shown on a plat, drawing or survey, which was registered with the Department of Business Regulation, Division of Florida Land Sales, prior to the effective date of the adoption of these regulations, or in the case of lands zoned RR District, occurred prior to the date of adoption of the applicable Broward County zoning regulations in effect at the time of annexation; and (4) The single lot, tract or parcel of land shall meet the minimum property development regulations, except minimum lot size requirements, that are generally applicable in the district, except as may be provided through the granting of a variance pursuant to Article X. (Ord. No. 90-4).

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### **Comprehensive Plan Considerations**

**Planning Area:** The subject property falls within Planning Area 9. This Planning Area is south of Griffin Road, generally north of Stirling Road, east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 102.

**Applicable Goals, Objectives & Policies:** *Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

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### **Staff Analysis**

The petitioner is requesting a variance from 12-32.306 (A) of the Land Development Code Griffin Corridor District, Minimum Parcel Requirements, which requires a minimum lot area of 65,000 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone #3, to reduce the minimum lot area to 27,220 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone #3.

The adoption of the Griffin Corridor District created four (4) zones each reflecting unique locational uses, and development standards. The subject property currently meets the minimum parcel requirements to develop a bed & breakfast. However, it is the petitioner’s desire to develop the subject property as a two story multi-use building in compliance with the permitted uses (See Exhibit 3) of the “Other” Use Group category of the Eastern Gateway Zone #3.

The subject property existed prior to the adopted 1990 rewrite of the Land Development Code. At that time, the subject property was zoned B-2 which required a minimum lot area of 65,000 sq. ft, a lot frontage of 200 ft. and a lot depth of 200 ft. The existing property had a minimum lot area of 41,268 sq. ft., a lot frontage of 181 ft. and a lot depth of 228 ft. The subject property could have been rezoned to a less restrictive Commercial Business District, notably B-1, which required a minimum lot area of 43,500 sq. ft., a lot frontage of 150 ft. and a lot depth of 200 ft.

After the 1990 rewrite of the Land Development Code, Section 12-38, Nonconforming Lots, was inserted into the Land Development Code (See Applicable Codes and Ordinances). This section established that a building may be erected on a nonconforming lot given that the erection of a building(s) was permissible prior to the adoption of the 1990 rewrite of the Land Development Code.

Subsequently in 1996, the property was subject to a Florida Department of Transportation taking which reduced the subject property’s minimum lot area to 27,220 sq. ft.

The adoption of the Griffin Corridor District on February 2, 2000 rezoned the subject property from B-2 to Eastern Gateway Zone #3 which requires a minimum lot area of 65,000 sq. ft, a lot frontage of 250 ft. and a lot depth of 250 ft.

Based on the minimum parcel requirements for the B-1 zoning district applicable prior to the 1990 rewrite of the Land Development Code, the subject property does meet both the minimum lot frontage and lot depth but still does not meet the minimum lot area, hence the requirement for a minimum lot area variance.

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### Findings of Fact

#### **Variances:**

#### **Section 12-309(B) (1):**

**The following findings of facts apply to the variance request:**

- (a) There are special circumstances or conditions applying to the land or building for which the variance is sought;

*The 27,220 square foot subject property does meet the minimum parcel requirements to develop a bed & breakfast that would not require a variance. However, the petitioner's desire is to develop the site in accordance with the permitted uses of the "Other" Use Group category within the Eastern Gateway Zone #3 rather than develop the subject property as a bed & breakfast.*

which circumstances or conditions are not peculiar to such land or building and do apply generally to land or buildings in the same district;

*The required 65,000 sq. ft. minimum lot area applies equally to parcels within the Griffin Corridor District, Eastern Gateway Zone #3(EGZ) .*

and that said circumstances or conditions are not such that the strict application of the provisions of this chapter would not deprive the application of the reasonable use of such land or building for which the variances are sought;

*The subject property can be reasonably used without a variance. The original intent of the Griffin Corridor District is that smaller parcels be developed as bed & breakfasts'.*

and that alleged hardship is self-created by any person having an interest in the property.

*The need for the variance is created by the owner's desire to develop the subject property in accordance with the permitted uses of the "Other" Use Group category within the Eastern Gateway Zone #3.*

- (b) The granting of the variance is not necessary for the reasonable use of the land or building and that the variance as requested is the minimum variance that will accomplish this purpose.

*Currently, the subject property can be reasonably used as a bed & breakfast, however the request is the minimum needed to allow the parcel to be developed as one of the permitted uses of the "Other" Use Group category within the Eastern Gateway Zone #3.*

- (c) Granting of the requested variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

*The intent of the Land Development Code is to allow an interpretation to be made where there is a just balance between the rights of the landowner and all others who will be affected by that person's proposal. Allowing the minimum lot area to be reduced to 27,200 sq. ft and allowing development in accordance with the permitted uses under the "Other" Use Group category for the Eastern Gateway Zone#3 will be in harmony with adjacent corridor commercial uses. The intent of the Griffin Corridor District is to "promote planned developments rather than haphazard speculative development that compromises the integrity of the corridor and the economic health of the Town". The petitioner will be required to develop the subject property in compliance with the permitted uses of the "Other" Use Group category for the Eastern Gateway Zone #3 and comply with the landscaping and development standards of the Griffin Corridor District.*

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### **Staff Recommendation**

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration.

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### **Planning and Zoning Board Recommendation**

At the October 25, 2006 Planning and Zoning Board meeting, Vice-Chair McLaughlin made a motion, seconded by Mr. Stevens, to approve V 7-2-06. (Motion carried 5-0).

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### **Town Council Action**

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#### **Exhibits**

1. Justification letter
2. Survey
3. Permitted, restricted and prohibited uses of the Eastern Gateway Zone
4. Future Land Use Plan Map
5. Zoning and Aerial Map

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_





**LAWRENCE JAY DAVIS, P.A.**

**ATTORNEY AND COUNSELOR AT LAW**

1601 NORTH FLAMINGO ROAD  
SUITE ONE  
PEMBROKE PINES, FLORIDA 33028-1004  
954 • 437 • 3444 PHONE  
954 • 430 • 5141 FAX  
LARRY@LJDPA.COM E-MAIL  
WWW.LJDPA.COM WEBSITE

September 27, 2006  
Hand Delivered

Ingrid M. Allen  
Planning and Zoning Division  
Town of Davie  
6591 Orange Drive  
Davie, Florida 33314

**Re: Variance Request for 6070 Griffin Road, Davie, FL- V-7-2-06**

Dear Ms. Allen:

This letter shall serve as a formal request for your office to consider applying Section 12-38 of the Davie Code, entitled "Nonconforming Lots", to the property referred to above. According to Section 12-38, so long as the property complies with subsections (1) and (2) or (3), as well as subsection (4), a building may be built notwithstanding limitations imposed by the Code.

Pursuant to your request, I am enclosing a copy of the boundary survey of the property before the State of Florida Department of Transportation taking as well as the Warranty Deed from the previous owners, Jerrold E. Shaffner and Donald V. Shaffner to the State of Florida Department of Transportation pursuant to the 1996 partial taking.

Regarding subsection (1), section 20-114 "Minimum Regulations" of the Town Code prior to the adoption of the Griffin Corridor District ordinance shows the minimum lot size for B-1 zoning classification was 43,500 square feet. The subject property, prior to the State of Florida Department of Transportation taking, was approximately 41,300 square feet which is nearly five percent (5%) less than the minimum. Arguably the lot would have been large enough to construct any approved improvements within the B-1 classification since the parcel would have met the minimum frontage (150 feet) and minimum depth (200 feet). Therefore no variance should be required.

Subsection (2) is satisfied by reference to the subject property in the Plat of Everglades Lands Sales Co., Sub. "A", as recorded in Plat Book 2, Page 34 of the Public Records of Dade County, Florida. Finally, subsection (4) is satisfied by the accepted definition of minimum lot size/area in the Town ordinances.




A handwritten signature in dark ink, appearing to be "LJD".

Ingrid M. Allen  
Town of Davie  
September 27, 2006  
Page Two of Two

. Therefore, no variance appears to be required and I hereby request a refund of the sum of \$1,860.00 previously paid for the matter. In the event you determine that a variance is required, kindly refund the sum of \$930.00 for the inapplicable second variance.

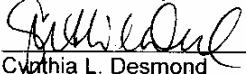
Sincerely,

  
Lawrence Jay Davis, Esq.  
For the Firm

Copy to: Jack Davis, Trustee  
LJD\ps

State of Florida  
County of Broward

The foregoing letter was acknowledged before me this 27<sup>th</sup> day of September, 2006 by Lawrence Jay Davis who is personally known to me.

  
Cynthia L. Desmond  
Notary Public State of Florida  
My Commission Number Is:  
My Commission Expires:



CYNTHIA L. DESMOND  
MY COMMISSION # DD 187111  
EXPIRES: March 14, 2007  
Bonded Thru Budget Notary Services

**Affix Notarial Seal**

96-287216 T888A  
05-01-96 09:29AM

01-GWD.01-06/93

This instrument prepared  
under the direction of: *LAURENCE*  
Laurence C. Mayes, Esq., *LAURENCE*  
Legal description prepared by:  
Myrna Widner (7-1-94)  
Department of Transportation  
3400 W. Commercial Boulevard  
Ft. Lauderdale, Florida 33309

Parcel 125.1  
Section 36015-2506  
S.R. No. 818  
County: BROWARD

## WARRANTY DEED

THIS WARRANTY DEED Made the 23 day of April, 1996  
by JERROLD E. SHAFFNER, a married man and DONALD V. SHAFFNER, an  
unmarried man, as Tenants in common, whose address is: 4751 Cypress  
Road #106, Plantation, Florida 33317, grantor, to the STATE OF  
FLORIDA DEPARTMENT OF TRANSPORTATION, grantee: (wherever used herein  
the terms "grantor" and "grantee" include all the parties to this  
instrument and the heirs, legal representatives and assigns of  
individuals and the successors, and assigns of organizations).

WITNESSETH: That the grantor, for and in consideration of the  
sum of \$1.00 and other valuable considerations, receipt and  
sufficiency being hereby acknowledged, hereby grants, bargains, sells,  
aliens, remises, releases, conveys and confirms unto the grantee, all  
that certain land situate in BROWARD County, Florida, viz:

PARCEL NO. 125

SECTION 36015-2506

That part of Tract 60, EVERGLADE LAND SALES CO. SUBDIVISION, Section  
26, Township 50 South, Range 41 East, according to the plat thereof,  
recorded in Plat Book 2, Page 34 of the Public Records of Dade County,  
Florida, lying in Broward County, Florida, being more particularly  
described as follows:

COMMENCE at the Southwest corner of said Section 26; thence  
North 01°37'33" West along the West line of the Southwest one-quarter  
of said Section 26, a distance of 1065.62 feet to a point on the  
Baseline of Survey for State Road 818 (Griffin Road) as shown on the  
Florida Department of Transportation Right of Way Map for Section  
36015-2506; thence North 88°21'44" East along said Baseline of Survey,  
a distance of 1,528.97 feet; thence South 01°38'16" East, a distance  
of 69.59 feet to a point on the Southerly Existing Right of Way line  
for said State Road 818 (Griffin Road) and the POINT OF BEGINNING;  
thence South 01°40'22" East, a distance of 58.91 feet; thence  
South 88°21'44" West, a distance of 153.67 feet; thence  
South 47°33'07" West, a distance of 36.09 feet to a point on the  
Easterly Existing Right of Way line for S.W. 61st Avenue; thence  
North 01°40'22" West along said Easterly Existing Right of  
Way line, a distance of 82.34 feet to a point on the said Southerly  
Existing Right of Way line for State Road 818 (Griffin Road); thence  
North 88°18'50" East along said Southerly Existing Right of Way line,  
a distance of 181.00 feet to the POINT OF BEGINNING.

Containing 10,971 square feet, more or less.

This is not homestead property.

TOGETHER with all tenements, hereditaments and appurtenances  
thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the  
grantor is lawfully seized of said land in fee simple; that the  
grantor has good right and lawful authority to sell and convey said  
land; that the grantor hereby fully warrants the title to said land  
and will defend the same against the lawful claims of all persons  
whomever; and that said land is free of all encumbrances.

*Return to DOT c/o Re-Entry Services, Inc.  
4175 S.W. 60th Ave, Suite 110  
Davie, FL 33314*

SEE ITEM  
RETURN TO  
FRONT RECORDING

BK 24812 PG 0981

(2)

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of: (Two witnesses required by Florida Law)

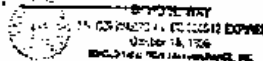
David H. Way  
Name: DAVID H. WAY  
Arthur M. Rusin  
Name: ARTHUR M. RUSIN  
David H. Way  
Name: DAVID H. WAY  
Arthur M. Rusin  
Name: ARTHUR M. RUSIN

Jerrold E. Shaffner  
Name: JERROLD E. SHAFFNER  
Donald V. Shaffner  
Name: DONALD V. SHAFFNER

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 23 day of April, 1996, by JERROLD E. SHAFFNER, a married man and DONALD V. SHAFFNER, an unmarried man, as tenants in common, who is personally known to me or who has produced FL DRIVER'S LICENSE #15156-425-24-168 as identification.

David H. Way  
Notary Public in and for the  
County and State last aforesaid.  
My Commission Expires: \_\_\_\_\_  
Serial No., if any: \_\_\_\_\_



RECORDED IN THE OFFICIAL RECORDS OF  
OF BROWARD COUNTY, FLORIDA  
COUNTY ADMINISTRATOR

BR24812PC0982



FOR: SHAFFNER

## SKETCH OF SURVEY

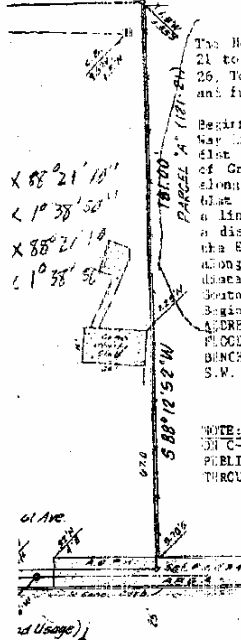
TYPE OF SURVEY: BOUNDARY

JOB # 89-10106X

DATE: 9-7-89

SCALE: 1"=30'

N. 82° 21' 10" E. 1771.650' ± 0.007



The North 228 feet of Tract 60, a re-sub of Tracts 5 to 12, 21 to 28 of the EVERGLADES LANDS SALES CO., Sub "A" of Section 26, Township 50 South, Range 41 East, LESS the East 1 1/2 acres, and further described as follows.

Beginning at the point of intersection of the South Right-of-Way line of Griffin Road and the East Right-of-Way line of S.W. 61st Avenue, thence run East along the South Right-of-Way line of Griffin Road for a distance of 181 feet, thence run South along a line parallel to the East right-of-way line of S.W. 61st Avenue for a distance of 228 feet, thence run West along a line parallel to South Right-of-Way line of Griffin Road for a distance of 181 feet, and to the point of intersection with the East right-of-way line of S.W. 61st Avenue, thence run North along the East right-of-way line of S.W. 61st Avenue, for a distance of 228 feet and to the point of intersection with the South right-of-way line of Griffin Road, and to the point of beginning. *Subtract being and located in Broward County, FL.*  
 ADDRESS: SUITE GRIFFIN ROAD, DAVIE, FLORIDA  
 FLOOD ZONE: A-1 BASE FLOOD ELEV.: 7' LOWEST FLOOR ELEV. 8.05'  
 DITCH PARK: Square Cut S.E. corner of Toay Salvino Bridge on S.W. 61st Avenue and C-11 Canal - ELEVATION 10.21'

NOTE: GRIFFIN ROAD HAS NO RIGHT OF WAY OF RECORD. IT IS BUILT ON C-11 RIGHT-OF-WAY AND ON ADJOINING PRIVATE PROPERTY. THE PUBLIC MAY HAVE PRESCRIPTIVE RIGHTS ACROSS SOME PRIVATE LANDS THROUGH USE AND MAINTENANCE OF GRIFFIN ROAD.

NOTES: UNLESS OTHERWISE SHOWN, THE FOLLOWING NOTES APPLY.

1) RECORD AND REVISION CALLS ARE IN SUBSTANTIAL AGREEMENT. 2) BEARINGS, IF SHOWN, ARE BASED ON (121-21) PLAT DATA. 3) THE LADS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDS. ENCUMBRANCES NOT SHOWN ON THIS PLAT. 4) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED. 5) ELEVATIONS ARE BASED ON NATIONAL GEODETIC DATUM. 6) FENCE TIES ARE TO THE CENTERLINE OF THE FENCE. 7) WALL TIES ARE TO THE FACE OF THE WALL.

LEGEND  
 CONCRETE \_\_\_\_\_  
 DRUM LINE ON \_\_\_\_\_  
 WOOD FENCE \_\_\_\_\_  
 MASONRY WALL \_\_\_\_\_  
 WALL - WATER METER, P.F. - POWER POLE  
 P.C. - FENCE CORNER, M.S. - MARKER

1) I HEREBY CERTIFY THAT THIS SURVEY MEETS THE USUAL TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 467.007, FLORIDA STATUTES.

*Shirley Johnston*  
 SHIRLEY P. JOHNSTON, LAND SURVEYOR 2173  
 8438 TAFT STREET HOLLYWOOD, FL. 33024

962 9334

5. 962 3411

Secs. 20-108, 20-109. Reserved.

**ARTICLE XIV. NEIGHBORHOOD BUSINESS  
DISTRICT B-1**

**Sec. 20-110. Purpose of district; applicable regulations.**

The B-1 District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the local neighborhood shopping and personal service needs of a limited surrounding residential area. Retail stores permitted herein are intended to include mainly convenience goods which are usually a daily necessity for a residential neighborhood.

The following regulations shall apply in all B-1 Districts.

**Sec. 20-111. Uses permitted.**

- (a) Retail stores and personal services.
- (b) Offices or studios.
- (c) Agricultural uses such as cultivation of crops, groves, thoroughbred and pleasure horses, fish breeding areas, tree and plant nurseries and cattle ranches, until such time as the area is converted to an urban use.
- (d) Animal hospital and veterinary clinics.
- (e) Uses accessory to any of the above permitted uses.

**Sec. 20-112. Uses prohibited.**

- (a) Automobile, truck, trailer, motorcycle, boat or machinery sale, storage or service, including repair garages, used car lots, service stations and auto laundries.
- (b) Drive-in restaurants and refreshment stands.
- (c) Lumber or building materials storage or display.
- (d) Plumbing, electrical or sheet metal shops.
- (e) Cabinet or carpenter shops.

Supp. No. 22



- (f) Storage or warehouse uses except as incidental to a permitted use.
- (g) Theaters, nightclubs and establishments for consumption of alcoholic beverages on premises.
- (h) Pawnshops.
- (i) Wholesale establishments.
- (j) Mortuaries.
- (k) Light, medium or heavy industrial uses.
- (l) Kennels.
- (m) Commercial recreation.

**Sec. 20-113. Maximum regulations.**

- (a) Height: Two (2) stories or thirty (30) feet.
- (b) Building coverage: Forty (40) per cent.
- (c) Floor area: Five thousand (5,000) square feet.
- (d) Paved area: Forty (40) per cent.

**Sec. 20-114. Minimum regulations.**

- (a) Net plot area: Forty-three thousand five hundred (43,500) square feet.
- (b) Frontage: One hundred fifty (150) feet.
- (c) Lot depth: Two hundred (200) feet.
- (d) Setbacks: Fifteen (15) feet on sides abutting residentially zoned properties and twenty (20) feet adjacent to public or private rights-of-way.
- (e) Floor area: Five hundred (500) square feet.
- (f) Distance between buildings on the same lot: Eight (8) feet.
- (g) Open space: Twenty (20) per cent of total net plot area.

Supp. No. 22

# BOUNDARY SURVEY

Exhibit 2

JOB NUMBER: 04-0128  
FORMERLY: 25-0118

PIONEER SURVEYORS, INC. - LB 5614

DATE: JANUARY 16, 2004

PROPERTY ADDRESS: 4570 GRIFFIN ROAD, DAVIE, FLORIDA 33314

## LEGAL DESCRIPTION:

A PART OF THE NORTH 228 FEET OF TRACT 60, "A" RESUBDIVISION OF TRACTS 5 TO 12, 24 TO 28, OF THE EVERGLADES LANDS SALES CO., SUB. "A" OF SECTION 28, TOWNSHIP 30 SOUTH, RANGE 41 EAST, LESS THE EAST 1.5 ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 34 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID LANDS SITATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

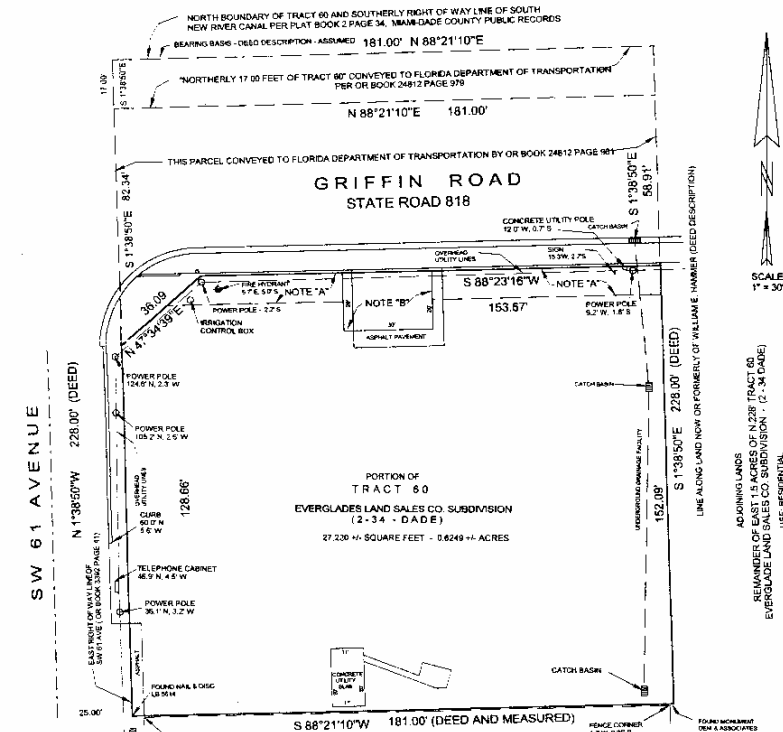
BEGINNING AT AN IRON PIPE AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF S.W. 61ST AVENUE (50 FOOT RIGHT OF WAY) AND THE SOUTHERLY RIGHT OF WAY LINE OF GRIFFIN ROAD (ALSO BEING THE SOUTHERLY RIGHT OF WAY LINE OF SOUTH NEW RIVER CANAL WITH A TOTAL RIGHT OF WAY WIDTH OF 280 FEET); RUN THENCE (1) ALONG THE SAID LINE OF GRIFFIN ROAD NORTH 88°21'10" EAST 181.00 FEET TO AN IRON PIPE IN A LINE OF LAND NOW OR FORMERLY OF WILLIAM E. HAMMER ET UX.; THENCE (2) ALONG SAID LINE OF LAND OF WILLIAM E. HAMMER ET UX. SOUTH 01°28'50" EAST 228.00 FEET TO AN IRON PIPE IN CONCRETE IN A LINE OF LAND NOW OR FORMERLY OF JULIUS M. MCCLOWRY; THENCE (3) ALONG SAID LINE OF LAND OF JULIUS M. MCCLOWRY SOUTH 88°21'10" WEST 151.00 FEET TO AN IRON PIPE IN THE SAID LINE OF S.W. 61ST AVENUE; AND THENCE (4) ALONG SAID LINE OF S.W. 61ST AVENUE NORTH 01°28'50" WEST 228.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THOSE PORTIONS CONVEYED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION BY DEEDS RECORDED 5/19/96 IN OFFICIAL RECORDS BOOK 24812, PAGE 979 AND OFFICIAL RECORDS BOOK 24812, PAGE 981, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

## CERTIFIED TO:

ATTORNEYS' TITLE INSURANCE FUND, INC.  
JACK DAVIS, TRUSTEE  
LAWRENCE JAY DAVIS, TRUSTEE  
LAWRENCE JAY DAVIS, P.A.  
STUART A. COHEN, ATTORNEY

FLOOD ZONE: AH  
BASE FLOOD ELEVATION: 9.0'  
C.F.N. 120009 0302F DATE OF FIRM: 5/18/92



NOTE "A" - THIS AREA IS A 10 FEET WIDE EASEMENT IN FAVOR OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR MAINTAINING SLOPE FOR ROADWAY. IT IS RECORDED IN OR BOOK 24812 AT PAGE 977.  
NOTE "B" - THIS AREA WAS COVERED BY A TEMPORARY CONSTRUCTION EASEMENT AS SET OUT IN OR BOOK 24812 AT PAGE 975. IT HAS EXPIRED.

ADJOINING LANDS  
PARCEL "A" - CROSSROADS COMMERCIAL CENTER (121 - 21)  
USE: EDUCATIONAL FACILITY

THIS IS NOT A VALID SURVEY UNLESS IT BEARS THE SIGNATURE AND ORIGINAL PRESSED SEAL OF A FLORIDA SURVEYOR AND MAPPER.

*Louise P. Johnston*  
LOUISE P. JOHNSTON  
FLORIDA SURVEYOR AND MAPPER 2173

## NOTES:

THIS SURVEY DID NOT LOCATE UNDERGROUND FACILITIES NOT INDICATED HEREON.  
THE FOLLOWING DOCUMENTS INDICATED THEREIN WERE NOT AVAILABLE TO THE SURVEYOR:  
OR BOOK 3438, PAGE 92  
OR BOOK 3438, PAGE 721  
OR BOOK 3750, PAGE 482  
ALL OTHER DOCUMENTS INDICATED IN SCHEDULE B, SECTION 2, HAVE BEEN PLOTTED HEREON TO THE EXTENT POSSIBLE.  
THE LEGAL DESCRIPTION HEREON IS THE ONE PROVIDED IN THE TITLE INSURANCE COMMITMENT AND IS THE SOURCE DOCUMENT FOR THIS SURVEY.  
NO ELEVATIONS ARE SHOWN.  
ALL UNIDENTIFIED PROPERTY CORNERS ARE SET 1/2" FROM RODS WITH CAP PSI - LB 5614.

PIONEER SURVEYORS, INC. - 7744 TAFT STREET - PEMBROKE PINES, FL. - 33024 - 954-962-9334 FAX - 954-962-3411

**Permitted, restricted and prohibited uses of the Eastern Gateway Zone (Exhibit 3)**

	Gateway West	Downtown	Gateway East	Griffin Commerce	
USE GROUP/USE	Zone 1	Zone 2	Zone 3	Zone 4	Nodes
<b>COMMUNITY FACILITY USE GROUP</b>					
Civic Center	P	N	P	N	P
Governmental Bldgs./Municipal	P	N	P	N	P
Public Service Uses	P	N	P	P	P
Hospitals	N	N	N	N	R(17)
Library, Museum	P	P	P	N	P
Schools, Educational Institutions	N	R(1)	N	N	N
Public Park	P	P	P	P	P
Special Residential Facility	R(2)	N	R(2)	R(2)	P
<b>OFFICE AND RESEARCH USE GROUP*</b>					
Banks, Financial	P	P	P	P	P
Contractor, office only	N	R(4)	N	P	N
General Office	P	R(5)	P	P	P
Medical Clinic	P	R(5)	P	P	P
Doctor's Office	P	R(5)	P	P	P
Real Estate Office	P	R(5)	P	P	P
Sales Office	P	R(5)	P	P	P
Laboratory, incl. Medical Lab	P	N	P	P	P
Research Facility	P	N	P	P	P
Motion Picture Studio	R(7)	N	R(7)	R(7)	R(7)
Radio or TV Station	R(7)	N	R(7)	R(7)	R(7)

\*Laboratories and Research Facilities require Commerce/Office land use plan designation. The majority of the corridor is designated Commercial by the land use plan, however, for parcels not designated Commercial, use of the residential to commercial flexibility rule or a land use plan amendment may be required.

	Gateway West	Downtown	Gateway East	Griffin Commerce	
USE GROUP/USE	Zone 1	Zone 2	Zone 3	Zone 4	Nodes
RETAIL, SERVICES, AND ENTERTAINMENT USE GROUP*					
RETAIL USES:					
Automotive Parts Sales	N	N	N	N	N
Antique, Craft Shops	R(8)	P	P	N	P
Art Gallery	R(8)	P	P	N	P
Bookstores, Newsstands	R(8)	P	P	R(9)	P
Convenience Store	N	N	N	R(9)	R(11)
Florist, Plant Shop	R(8)	P	P	N	P
Gift Shops	R(8)	P	P	N	P
Office Equipment Sales	R(8)	P	P	P	P
Pawnshop	N	N	N	N	N
Pharmacy	R(8)	P	P	P(9)	P
Photographic Supplies	R(8)	P	P	N	P
Video Rental	R(8)	P	P	N	P
Retail Sales, other	R(8)	P	P	N	P
PERSONAL SERVICE USES:					
Barber/Beauty Shops	R(8)	P	P	N	P
Dry Cleaning (pick-up only)	R(8)	P	P	R(9)	P
Massage Therapist	R(8)	P	P	R(9)	P
Tailor	R(8)	P	P	R(9)	P
Shoe Repair	R(8)	P	P	R(9)	P
Tanning Salons	R(8)	P	P	N	P
Laundromat	N	N	N	N	N
Personal Services, other	R(8)	P	P	N	P
GENERAL SERVICE USES:					
Animal Hospital	R(10)	N	R(10)	R(10)	P
Athletic/Health Clubs, Gyms	R(8)	P	R(8)	N	P

Catering Hall	R(6)	R(6)	R(6)	N	R(6)
Nursery, Child Care	P	P	P	P	P
Photocopying, Printing Service	R(8)	P	P	P	P
ENTERTAINMENT USES:					
Adult Facilities	N	N	N	N	N
Game Room, Arcade	R(15)	R(15)	R(15)	N	R(15)
Movie Theater, Performing Arts	N	N	N	N	R(11)
Pool Rooms	N	N	N	N	N
Private Clubs	N	N	P	N	P
Art Studio	R(8)	P	P	N	P
Dance Instruction Studio	P	P	P	N	P
Music Instruction Studio	P	P	P	N	P
Photographic Studio	P	P	P	N	P
Bakery, Delicatessen	R(8)	P	P	R(9)	P
Bars, Lounges	R(15)	P	R(15)	N	R(15)
Night Club	N	P	N	N	R(11)
Restaurant, Fast Food	N	N	N	R(9)	R(11)
Restaurant, Standard	R(8)	P	P	N	P

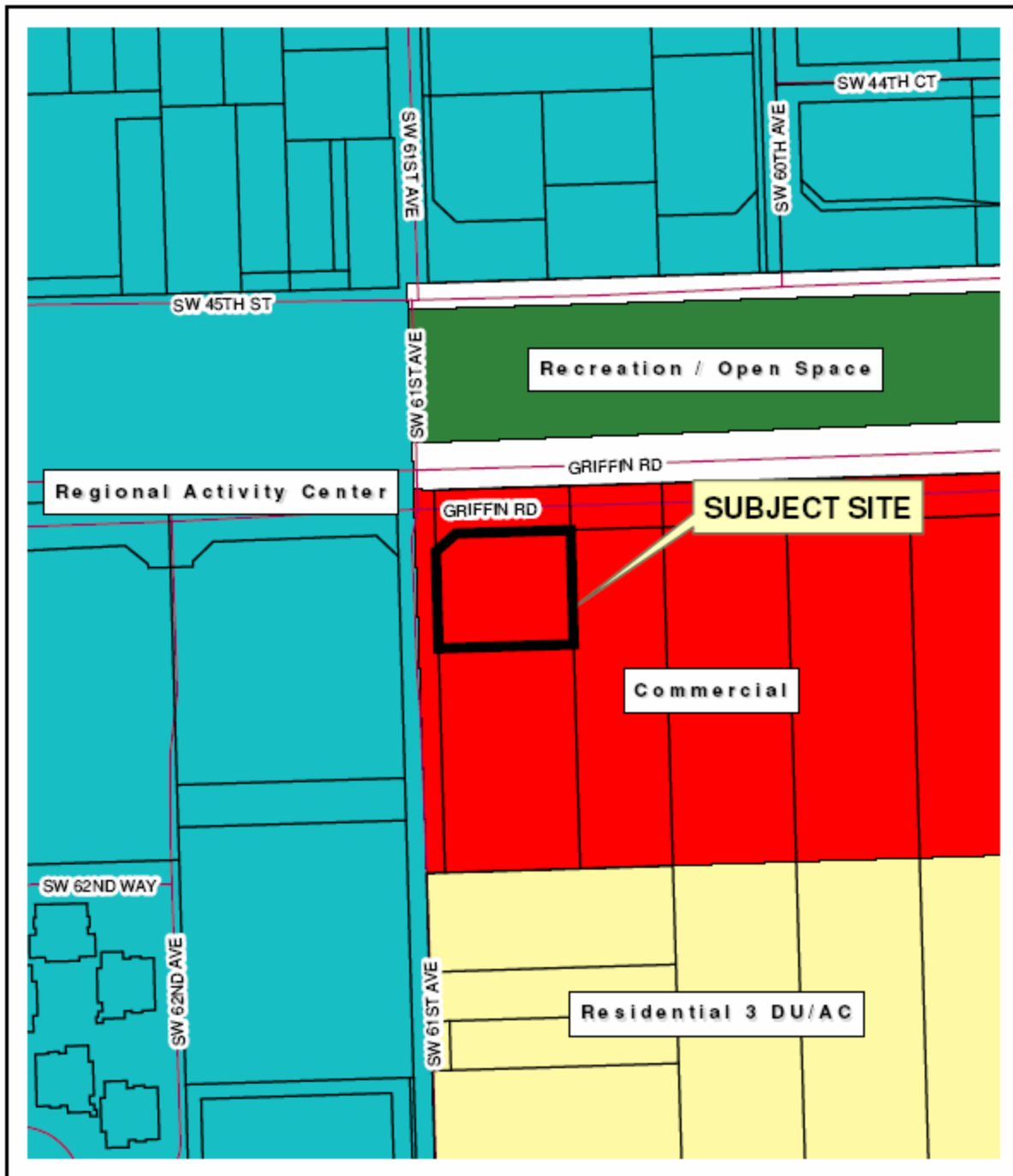
\*The majority of the corridor is designated Commercial by the land use plan, however, for parcels not designated Commercial, use of the residential to commercial flexibility rule or a land use plan amendment may be required.

	Gateway West	Downtown	Gateway East	Griffin Commerce	
USE GROUP/USE	Zone 1	Zone 2	Zone 3	Zone 4	Nodes
AUTOMOTIVE SERVICE USE GROUP					
Car Wash	N	N	N	N	R(11)
Motor Fuel Pump	N	N	N	N	R(11)

Service Stations	N	N	N	N	N
Truck, Auto, Trailer, Utility Rental	N	N	N	N	N
Vehicle Customizing	N	N	N	N	N
Vehicle, Boat, Truck Repair, Major	N	N	N	N	N
Vehicle Repair, Minor	N	N	N	N	N
Vehicle Towing	N	N	N	N	N
Vehicle, Boat, Truck Sales	N	N	N	N	N
LODGING USE GROUP*					
Bed and Breakfast Accommodations	R(6)	R(6)	R(6)	N	N
Hotels	N	N	N	P	R(16)

\*Within a Residential land use plan designation, the maximum number of rooms is double the number of dwelling units permitted by the applicable plan designation. Within nonresidential plan designations which permit lodging uses, there is no density limitation.

	Gateway West	Downtown	Gateway East	Griffin Commerce	
USE GROUP/USE	Zone 1	Zone 2	Zone 3	Zone 4	Nodes
MISCELLANEOUS USES GROUP					
Telecom Apparatus	R(14)	N	R(14)	R(14)	R(14)
Mobile Home, RV Sale	N	N	N	N	N
Parking Lot, Rental	N	P	P	N	R(11)
ACCESSORY USES	R(3)	R(3)	R(3)	R(3)	

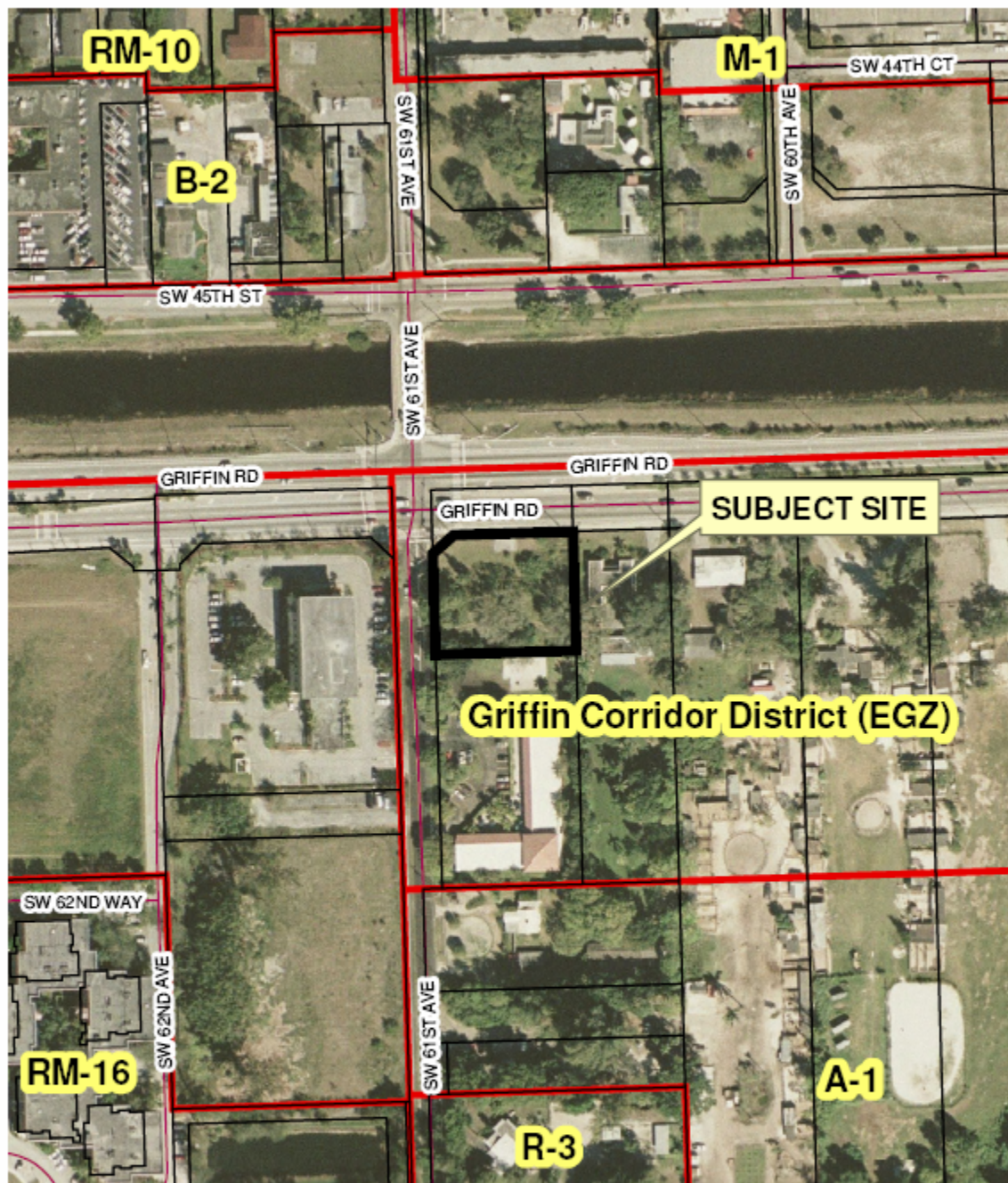


0 100 200 400 Feet

Prepared by the Town of Davie GIS Division

# Variance V 7-2-06 Future Land Use Map

Prepared by: ID  
Date Prepared: 9/21/06



Date Flown:  
12/2004



0 100 200 400 Feet

Prepared by the Town of Davie GIS Division

# Variance V 7-2-06 Zoning and Aerial Map

Prepared by: ID  
Date Prepared: 9/21/06